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**From:** Faeth, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12AF792B39CC4B4FA8089976F3F8859F-LFAETH]  
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**Subject:** News Articles (For EPA Distribution Only)

## BNA DAILY ENVIRONMENT REPORT ARTICLES

### EPA May Invite Hazard, Exposure Data on Dozens of Chemicals

By Pat Rizzuto

Posted May 15, 2018, 9:37 AM

The EPA may invite chemical manufacturers and others to submit toxicity and exposure information on dozens of chemicals already on its radar for potential scrutiny.

### House Panel Refutes Trump, Proposes \$12M for Chemical Board

By Bruce Rolfsen

Posted May 14, 2018, 6:15 PM

The Trump administration's proposal to disband the Chemical Safety and Hazard Investigation Board is once again running into opposition from Congress.

### Pruitt Adds New EPA Office to Further Efficiency Effort

By Abby Smith

Posted May 14, 2018, 5:35 PM

EPA head Scott Pruitt's efficiency push throughout the agency will get its own office, the administrator announced May 14.

### Industry Coalition Forms to Lobby For EPA Safer Labels Program (1)

By Pat Rizzuto

Posted May 14, 2018, 3:24 PM Updated May 14, 2018, 5:53 PM

Companies making cleaners, automobile products, and other consumer chemicals are launching a coalition June 1 to support a threatened EPA labeling program that recognizes safer chemicals.

## **INSIDEEPA.COM ARTICLES**

### On Eve Of EPA Summit, Agencies At Odds Over Calculating PFAS Risks

On the eve of a major EPA summit over how to address contamination from widespread exposures to per- and polyfluoroalkyl substances (PFAS), EPA and other agencies are split over how to calculate the substances' risks, a division that recently prompted EPA and the Defense Department (DOD) to ask the White House to block a federal health agency from releasing draft risk values stricter than EPA's.

### After Families' Push, EPA Plans To Finalize Obama-Era Paint-Stripper Ban

Amid lobbying by families of consumers and workers killed from exposure to the paint-stripper chemical methylene chloride, EPA has reversed course, saying it now intends to soon finalize an Obama-era rule expected to ban certain uses of the substance, though environmentalists are cautioning that the final rule should preserve the proposed ban.

### IG Adds Data Quality, Reporting To List Of EPA's Management 'Challenges'

EPA's Inspector General (IG) is updating and adding two entries to its annual list of management "challenges" facing the agency, warning EPA that it needs to address "systemic" problems in the quality of data used in decisions and separately its inability to meet statutory deadlines for reports to Congress on various EPA programs.

#### EPA Sends Final TSCA Mercury Inventory Rule For White House Review

EPA has sent to White House review its final rule requiring workers who handle mercury to report those uses to the agency, a rule the agency is required to promulgate by June 22, per the 2016 law that reformed the Toxic Substances Control Act (TSCA).

#### CEQ Submits Draft NEPA Rule Update To OIRA For Review

The White House Council on Environmental Quality (CEQ) is advancing a long-anticipated measure to reform its National Environmental Policy Act (NEPA) implementing rules, submitting an advance notice of proposed rulemaking (ANPR) to the White House Office of Information & Regulatory Affairs (OIRA) for review.

#### Industry Urges OMB To Back EPA Rule Boosting Policy Cost Considerations

Industry groups are pressing the Office of Management and Budget (OMB) to support a draft preliminary EPA rule that would establish greater "consistency" when considering the costs of its regulatory policies, urging OMB to devote resources to the effort and broadly playing down legal obstacles to consideration of costs in future rules.

#### EPA Science Plan Skirted Usual Process, Raising Finalization, Legal Doubts

The Trump EPA's controversial plan requiring use of publicly available research to justify rules appears to have been developed by political appointees without following the agency's usual action development process (ADP) for crafting important rules, leaving career staff and program offices out of the loop but raising doubts about how it will be finalized without them.

#### House Floats \$100 Million Cut To EPA In FY19 Targeting Regulatory Programs

House lawmakers are floating draft legislation to cut EPA's budget from its current \$8.058 billion funding by \$100 million down to \$7.958 billion, a modest cut compared to prior GOP efforts to slash the agency's funding that primarily targets EPA's science and rulemaking accounts for reductions while boosting state grants and Superfund spending.

#### CPSC Guide Could Give EPA Alternative To Partial Methylene Chloride Ban

The Consumer Product Safety Commission's (CPSC) recent guidance calling for product labels to warn of acute inhalation hazards of paint strippers containing methylene chloride could give EPA an alternative to calls for a first-time ban on some uses of the substance, such as industry calls to promote risk management options.

## **CHEMICAL WATCH ARTICLES**

### **State AGs request withdrawal of US EPA science proposal**

14 May 2018 / Confidentiality & right-to-know, Data, United States

Attorneys General from seven states and the District of Columbia have requested the US EPA withdraw its 'science transparency' [proposal](#), owing to the "far-reaching impact" it could have on the agency's core activities.

The proposed rule – which seeks to allow increased transparency and public validation of studies underpinning agency regulatory decisions – has met heavy criticism from NGOs who fear it could be used to discard important health and safety data.

And the state AGs have joined a chorus of stakeholders requesting that the agency put the brakes on it.

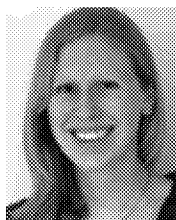
In a letter submitted to the public docket, the states' chief legal advisors noted concerns "both from the truncated timeline under which EPA seeks to change fundamental agency policy, and from the vagueness of the proposal".

They have requested the agency withdraw its proposed rule and begin a consultation with the National Academy of Sciences and other independent scientists before deciding whether changes are needed to the agency's current approaches.

Should the agency decline this path, the AGs requested that the EPA extend the consultation by at least 150 days. "A full six-month comment period would be consistent with past practice for matters of similar importance and complexity, and is necessary to provide the public and other stakeholders a meaningful opportunity to evaluate the proposal and its implications for the agency's ability to meet its obligation to protect public health and the environment under federal environmental laws," they wrote.

The current 30-day consultation is "woefully insufficient", they added. Unless extended, this is set to expire on 30 May.

The letter is co-signed by the AGs from New York, California, Delaware, Iowa, Maine, Minnesota, Pennsylvania, and Washington, DC.



Kelly Franklin

North America editor

#### **Related Articles**

- [US EPA proposes controversial science transparency rule](#)
- [American Chemistry Council defends EPA 'secret science' proposal](#)
- [TSCA could be undercut by 'secret science' requirements](#)
- [Stakeholders demand US EPA extend 'secret science' consultation](#)

#### **Further Information:**

- [Comment](#)

**EU Commission publishes 11th ATP to CLP Regulation**

14 May 2018 / Classification, labelling and packaging Regulation, Europe

The European Commission has published amendments to the Regulation on the classification, labelling and packaging of substances and mixtures (CLP).

This is the 11th adaptation to technical and scientific progress (ATP). It includes the chemical names of substances subject to harmonised classification and labelling listed in Table 3 of Annex VI CLP in all languages.

The 11th ATP has neither added substances nor amended information on any of the chemicals regulated under CLP. It was published in the *Official Journal* on 16 April and will apply from 1 December 2019.

The 10th ATP to CLP was published a year ago. It introduced new and revised entries for the harmonised classification and labelling of 37 substances.

### Related Articles

- [EU Commission publishes 10th ATP to CLP Regulation](#)

### Further Information:

- [EU Official Journal](#)

### EU regulation of FCMs 'outdated and full of holes'

Industry efforts seen to be filling a void

14 May 2018 / Europe, Food & drink, Food contact, Food contact Regulation 10/2011



The EU's regulation of food contact materials is "outdated, ineffective and full of holes", a Chemical Watch Food Contact Regulations Europe summit has heard.

Speaking at last week's event in Brussels, Michael Warhurst, executive director of NGO CHEM Trust, said: "it's not a pretty picture. The public would be very surprised at the lack of effective food contact material regulations.

"They expect protection. The fact that it's not under control is a potential scandal, even if it's not visible at the moment."

### Legislation

The overarching piece of FCM legislation is the 2004 EU Framework Regulation. This works in tandem with the good manufacturing practice for materials and articles intended to come into contact with food Regulation (GMP) from 2006.

Both harmonised and non-harmonised materials sit under the framework's umbrella. Harmonised materials, which include, for example, plastics, ceramics and regenerated cellulose, are subject to EU-wide rules. Non-harmonised



materials, which include adhesives, printing inks and paper, have no specific European legislation covering them, and are subject to member states' national provisions.

According to Dr Warhurst the regulatory approach in this area has not been systematically assessed since it was introduced in 1976. There has also been no formal evaluation work or reports done on the 2004 framework.

"The world is moving on," he said, "and Europe is rather a long way behind".

## **Review**

Late last year the Commission consulted on a roadmap for evaluating the legislation. Among the responses were a number of calls for fully harmonised rules for all FCMs, including from Cefic and the European Printing Ink Association (EuPIA).

Peter Oldring, European regulatory affairs manager at coatings company Sherwin Williams, told the conference that the EU executive is now planning a study to determine how the present legislation is functioning. It is expected, he said, that a contractor will start work in the Autumn.

And, Dr Oldring (pictured) told the summit that industry is as frustrated as the NGOs at the lack of Commission action.

"We keep getting roadmaps," he said. "Somehow the Commission's roadmaps and actions are subject to delays – often considerable – against their original target. We need to come up with a strategy to show those outside the Commission that something needs to be done."

To this end Dr Oldring directed the summit's attention to the work of an industry cross-sector group that has been in existence for 18 months and takes in 25 associations.

"The Commission is overloaded and the rate of progress is perhaps not as much as industry would like," he said. "In the absence of legislation, industry has been trying to tackle this problem so that we can fill a void that is there."

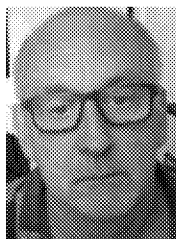
## **Fit for purpose?**

However, Anna Gergely (also pictured), director of environment, health and safety regulatory at law firm Steptoe and Johnson, drew attention to the role REACH plays in the regulation of FCMs.

In response to the question "is the food contact regime fit for purpose?" she answered that there is great complexity to the legislation and FCMs are not exempt from REACH restrictions.

"Don't let people spread the news that food contact materials are not properly regulated," she said.

"There are some exemptions for food and feed in the REACH Regulation, and they include food additives, but there are no such exemptions for food contact materials. So don't be mistaken, packaging is not exempt in any way from the Regulation."



Nick Hazlewood

## Related Articles

- [Trade groups call for harmonised EU regulations for FCMs](#)

## Further Information:

- [Food contact regulations Europe 2018](#)
- [EU FCM Regulation](#)

## Northern Ireland to ban microbeads in rinse-off cosmetics

14 May 2018 / Alternatives assessment & substitution, Microplastics, Personal care, United Kingdom

Northern Ireland is to ban the manufacture and sale of rinse-off cosmetics and personal care products containing plastic microbeads, from September this year.

The UK government [implemented](#) the first phase of its ban, which applies to the manufacture of such items, in January. The second phase will prohibit their sale from the end of June.

In its notification to the European Commission, Northern Ireland said there are currently no known manufacturers using plastic microbeads in the region, which prompted it to implement the ban on manufacture and sale at the same time.

The regulations apply to Northern Ireland only. However, the various UK administrations have developed legislation collaboratively to ensure the definition of the ban is consistent. The objective is that it will eventually apply across the UK.

The devolved governments of [Scotland](#) and [Wales](#) have submitted separate notifications, with their bans coming into effect on 19 June and 30 June respectively.

The difference between the various UK regions is in the enforcement regime, according to the notification from Northern Ireland.

## Related Articles

- [UK microbeads ban enters into force](#)
- [Scotland announces microbeads ban](#)
- [Wales to ban microbeads from June](#)

## Further Information:

- [Notification](#)

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